On February 1, 2010, the parties appeared before the District Judge for a Pretrial Conference in this matter. As a result of issues raised at the conference, the parties were referred to the undersigned for a report and recommendation on certain disputes regarding the scope of the case and the admissibility of damages evidence and opinions. On February 4, 2010, the Court held a telephonic conference and ordered the parties to simultaneously submit and serve opening briefs—setting forth each party's position with regard to the evidentiary issues and the scope of the claims at issue for trial—no later than **February 18, 2010.** The parties will submit and exchange response briefs no later than **March 1, 2010.** The Court will hold a hearing on **March 5, 2010** at **10:00 a.m.**, in Courtroom E.

IT IS SO ORDERED.

DATED: February 5, 2010

CATHY ANN BENCIVENGO United States Magistrate Judge

07cv607